IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 251 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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DINESHBHAI K RATHOD THROUGH TARABEN WD/O DK RATHOD

Versus

KANTILAL JIVRAJ RATHOD

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Appearance:

1. Appeal from Order No. 251 of 1996

MR AY KOGJE for Petitioners No. 1-2

MR NK MAJMUDAR for Respondents No. 1-2

MR PF ADHVARYU for Respondents No. 3-4

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CORAM : MR.JUSTICE B.J.SHETHNA

Date of decision: 01/11/2001

ORAL JUDGEMENT

Mr.S.D.Suthar stated at the Bar that Mr.N.K.Majmudar is no more appearing for respondent Nos.

1 and 2 and in their place Mr.Kogje appears.

Last time Mr.Kogje stated at the Bar that his client took away the papers from him and that he informed them by letter dated 10.9.2001, but he has not received any reply from them. He had also submitted that now real contesting appellants would be clients of Mr.Adhvaryu, who are original opponent Nos. 3 and 4 later on transposed as appellants on Civil Application filed by them. Mr.Adhvaryu, learned counsel had stated at the Bar that he had received instructions from his clients that the matter is almost settled but he wanted to make a definite statement in the matter, therefore, this matter was kept today.

Today, learned counsel Shri Adhvaryu for the original respondent Nos. 3 and 4 who have now been transposed as appellants places on record photostat copy of the consent terms dated 25.12.2000 duly signed by the parties and stated that in terms of consent terms he wants to withdraw this appeal. Accordingly, this appeal is disposed of as withdrawn. Civil Application is disposed of as the main Appeal from Order is disposed of.

(B.J.Shethna, J.)
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